

REMARKS

Declaration/Application Data Sheet

In the Office Action, the Examiner requested a new Declaration in compliance with 37 C.F.R. § 1.67(a) and executed by Inventor Tze Wan Pansy Chung. After a discussion with Examiner William Watkins, Applicants respectfully submit that the Declaration may be put in compliance with 37 C.F.R. § 1.67(a) by filing of an Application Data Sheet, 37 C.F.R. 1.67(a)(3) provides that Deficiencies or inaccuracies in a Declaration due to the failure to meet the requirements listed in §1.63(c) (e.g., to correct the omission of a mailing address of an inventor) may be corrected by filing an application data sheet in accordance with § 1.76. After filing the Application Data Sheet, a new Declaration will not be required. Since including the mailing address of the inventor on the Declaration is a requirement of §1.63(c), the enclosed Application Data Sheet in accordance with §1.76 is being submitted in lieu of a new Declaration. Applicants respectfully submit that all other required affirmations are in the originally filed Declaration.

Enclosed is an Application Data Sheet for the subject application. Applicants hereby respectfully request that the requirement for a new Oath or Declaration be withdrawn. Applicants appreciate Examiner Watkins assistance in resolution of this matter.

Claim Rejections – 35 U.S.C. §§ 102 and 103

Claims 32 and 46-53 were rejected under 35 U.S.C. § 102(b) as being anticipated by United States Published Patent Application No. 2001/0005540 filed by Hisanaka et al. ("Hisanaka"). Applicants have amended claim 32.

Hisanaka discloses a flexible sheet suitable as important stock material for disposable sanitary articles. See Hisanaka paragraph [0001], for example. The flexible sheets of Hisanaka are designed to provide a flexible sheet that exhibits a comfortably soft touch, on one hand, and a surface appearance having luster sufficiently alleviated. See Hisanaka paragraph [0007], for example. The main feature of the disposable articles of Hisanaka that provide both the soft comfortable touch and the make the sheet lusterless are the rising regions 12. See Hisanaka paragraph [0009]. The rising regions 12 provide the objects of the invention of Hisanaka, making the flexible sheet both soft touch and lusterless. See Hisanaka paragraph [0023], for example. The “bridge like regions 10” of Hisanaka are not well described in the specification, the specification only describes “bridge like regions 10 extending across the pair of adjacent the plane regions 8, 8” and gives no purpose. See Hisanaka paragraph [0017]. The specification further describes the possible shapes of the bridge-like regions. See Hisanaka paragraph [0018]. Otherwise, the bridge-like regions are not described.

The only purpose of the bridge-like regions appears to be to hold the flexible sheet together. There is no other apparent reason for them and without the bridge-like regions the flexible sheet would be merely independent unconnected plane regions 8. Therefore, the bridge-like regions 10 of Hisanaka correspond to the material between the apertures of the web along the major axis.

Claim 32 has been amended to more clearly define the invention and distinguish the claims from the disclosure of Hisanaka. The claims now provide that the stretchable web may comprises at least one bridging element extending across at least a portion of the first plurality of elongated cells in a direction orthogonal to the cells' alignment and having edges offset from the cell's distal ends, wherein the bridging element are strands of a

separate material overlaying the stretchable web. The bridging elements of the claimed invention are not merely part of the flexible sheet but are a separate material overlaying the stretchable web. Support for the amendment is provided in the brief description of the Figure 8, in paragraph [0038] of the specification as filed, for example.

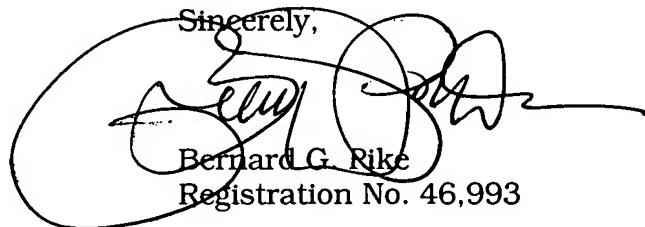
Hisanaka does not disclose or suggest such a bridging element. Reconsideration of the claims is respectfully requested.

CONCLUSIONS

Applicants believe that they have fully addressed each basis for the rejection in the Office Action. Reconsideration of the claims of the subject application and issuance of a Notice of Allowability is respectfully requested. Should the Examiner have any remaining concerns, he is requested to contact the undersigned at the telephone number given below so that the concerns may be resolved with issuance of an additional Office Action.

No fees beyond the concurrently paid filing fees for this application are believed due for this *Response to Office Action*. Nonetheless, authorization to charge deposit account No. 20-1507 is given herein should fees be due.

Sincerely,

A handwritten signature in black ink, appearing to read "Bernard G. Rike", is written over a circular stamp. The signature is fluid and cursive.

Bernard G. Rike
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